

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1113 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 10-13-6-9.5 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2005]: **Sec. 9.5. (a) The DNA sample**
- 6 **processing fund is established for the purpose of funding the**
- 7 **collection, shipment, analysis, and preservation of DNA samples**
- 8 **and the conduct of a DNA data base program under this chapter.**
- 9 **The fund shall be administered by the superintendent.**
- 10 **(b) The expenses of administering the fund shall be paid from**
- 11 **money in the fund.**
- 12 **(c) The treasurer of state shall invest the money in the fund not**
- 13 **currently needed to meet the obligations of the fund in the same**
- 14 **manner as other public money may be invested.**
- 15 **(d) Money in the fund at the end of a state fiscal year does not**
- 16 **revert to the state general fund."**
- 17 Page 3, between lines 31 and 32, begin a new line block indented
- 18 and insert:
- 19 **"(18) A DNA sample processing fee (IC 33-37-5-26.2)."**
- 20 Page 5, between lines 14 and 15, begin a new line block indented
- 21 and insert:
- 22 **"(14) A DNA sample processing fee (IC 33-37-5-26.2)."**
- 23 Page 6, between lines 33 and 34, begin a new line block indented
- 24 and insert:
- 25 **"(12) A DNA sample processing fee (IC 33-37-5-26.2)."**
- 26 Page 12, between lines 3 and 4, begin a new paragraph and insert:
- 27 "SECTION 13. IC 33-37-5-26.2 IS ADDED TO THE INDIANA
- 28 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 29 [EFFECTIVE JULY 1, 2005]: **Sec. 26.2. In each action in which a**
- 30 **person is:**
- 31 **(1) convicted of an offense;**
- 32 **(2) required to pay a pretrial diversion fee;**

1 **(3) found to have committed an infraction; or**
2 **(4) found to have violated an ordinance;**
3 **the clerk shall collect a DNA sample processing fee of one dollar**
4 **(\$1).".**

5 Page 14, between lines 18 and 19, begin a new line block indented
6 and insert:

7 **"(4) IC 33-37-5-26.2 (DNA sample processing fees).".**

8 Page 16, between lines 16 and 17, begin a new line block indented
9 and insert:

10 **"(3) IC 33-37-5-26.2 (DNA sample processing fees).**

11 SECTION 16. IC 33-37-7-9 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) On June 30 and
13 on December 31 of each year, the auditor of state shall transfer to the
14 treasurer of state ~~six~~ **seven** million ~~seven hundred four~~ **thirty-nine**
15 thousand two hundred fifty-seven dollars (~~\$6,704,257~~) (**\$7,039,257**) for
16 distribution under subsection (b).

17 (b) On June 30 and on December 31 of each year the treasurer of
18 state shall deposit into:

19 (1) the family violence and victim assistance fund established by
20 IC 12-18-5-2 an amount equal to ~~eleven ten and~~
21 ~~eight-hundredths~~ **fifty-six hundredths** percent (~~11.08%~~);
22 **(10.56%);**

23 (2) the Indiana judges' retirement fund established by
24 IC 33-38-6-12 an amount equal to ~~twenty-five~~ **twenty-four** and
25 ~~twenty-one~~ **two** hundredths percent (~~25.21%~~); **(24.02%);**

26 (3) the law enforcement academy building fund established by
27 IC 5-2-1-13 an amount equal to three and ~~fifty-two~~ **thirty-six**
28 hundredths percent (~~3.52%~~); **(3.36%);**

29 (4) the law enforcement training fund established by IC 5-2-1-13
30 an amount equal to ~~fourteen~~ **thirteen** and ~~nineteen-hundredths~~
31 **fifty-two hundredths** percent (~~14.19%~~); **(13.52%);**

32 (5) the violent crime victims compensation fund established by
33 IC 5-2-6.1-40 an amount equal to ~~sixteen~~ **fifteen** and
34 ~~fifty-hundredths~~ **seventy-two hundredths** percent (~~16.50%~~);
35 **(15.72%);**

36 (6) the motor vehicle highway account an amount equal to
37 ~~twenty-six~~ **twenty-five** and ~~ninety-five~~ **sixty-seven** hundredths
38 percent (~~26.95%~~); **(25.67%);**

39 (7) the fish and wildlife fund established by IC 14-22-3-2 an
40 amount equal to ~~thirty-two hundredths~~ **thirty-one hundredths**
41 of one percent (~~0.32%~~); **(0.31%); and**

42 (8) the Indiana judicial center drug and alcohol programs fund
43 established by IC 12-23-14-17 for the administration,
44 certification, and support of alcohol and drug services programs
45 under IC 12-23-14 an amount equal to two and ~~twenty-three~~
46 **thirteen** hundredths percent (~~2.23%~~); **(2.13%); and**

47 **(9) the DNA sample processing fund established under**
48 **IC 10-13-6-9.5 for the funding of the collection, shipment,**
49 **analysis, and preservation of DNA samples and the conduct**
50 **of a DNA data base program under IC 10-13-6 an amount**
51 **equal to four and seventy-one hundredths percent (4.71%);**

52 of the amount transferred by the auditor of state under subsection (a).

- 1 (c) On June 30 and on December 31 of each year, the auditor of
2 state shall transfer to the treasurer of state for deposit into the public
3 defense fund established under IC 33-40-6-1:
4 (1) after June 30, 2004, and before July 1, 2005, one million
5 seven hundred thousand dollars (\$1,700,000); and
6 (2) after June 30, 2005, two million two hundred thousand
7 dollars (\$2,200,000).".
8 Renumber all SECTIONS consecutively.
(Reference is to EHB 1113 as printed April 1, 2005.)

Senator ZAKAS